

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,
INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD
FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON
MONDAY, JANUARY 7, 2008 AT 7:30 P.M.**

The meeting of the **New Albany City Council** was called to order by President Pro Temp Dan Coffey at 7:30 p.m. The meeting opened with the Lords Prayer and the Pledge of Allegiance.

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Caesar, Mr. Price, Mr. McLaughlin, Mrs. Benedetti, Mr. Gahan, Mr. Gonder, Mr. Messer, Mr. Zurschmiede.

OTHERS: Council Attorney Jerry Ulrich and City Clerk Marcey Wisman.

ALSO: Mayor Douglas B. England, Deputy Mayor Carl Maylsz, Deputy Mayor John Wilcox, Asst. Director of City Operations Matt Denison, John Rosenbarger, Scott Wood, Major and Mayor Douglas B. England

Mr. Coffey welcomed everyone to the meeting and stated that he is looking forward to working with everyone on the Council.

ELECTION OF OFFICERS:

Mr. Coffey called for nominations for President of the Common Council

Mr. McLaughlin nominated Jeff Gahan for president, Mrs. Benedetti second,

Mr. Caesar nominated Mr. Messer for president, Mr. Zurschmiede second,

Mr. Price moved to close the nomination for President, Mr. Zurschmiede second,

Mr. Coffey called for a show of hands vote for Mr. Gahan as President.
Mr. Gahan was elected president with six aye votes and three nays.

Mr. Gahan called for nominations for the vice-president

Mr. Price nominated Mr. Coffey for Vice President, Mrs. Benedetti second,

Mr. Zurschmiede nominated Mr. Messer for Vice President, Mr. Caesar second,

Mr. Gahan called for a show of hands vote for Mr. Coffey as Vice-President.
Mr. Coffey was elected vice-president with five aye votes and four nays.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Price moved to approve the minutes of the December 20, 2007 meeting as amended, Mr. Zurschmiede second, all voted in favor.

Mr. Coffey moved to approve the minutes of the December 27, 2007 special meeting as amended, Mr. Messer second, all voted in favor.

COMMUNICATIONS – PUBLIC:

John Vissing, Attorney at Law, spoke on behalf of the residents of Colonial Estates. He stated that they are concerned about the PUD on Charlestown Road and they would like for them to deny the second and third readings as they did the first reading. He stated that the residents are not “cranks” that they simply have concerns that they would like to have addressed by the developer and they are open to working with the developer. He discussed the issues that they would like to see included in the development which is all listed in a letter on file with the City Clerk’s office. He stated that the residents would make a commitment through him to work with the developer.

Mr. Messer asked if the developer has seen the letter with the issues that the residents would like to see corrected.

Mr. David Campbell, spoke on Z-07-22. He discussed his concerns with the project and the effect he thinks it would have on his neighbors and the community. He stated that looking at the PUD he doesn't see anything that is added to New Albany's infrastructure that isn't already there.

Kirk Sagebiel, discussed the concerns that his neighbors have with this issue and how many of them have been to every meeting regardless of time constraints and scheduling issues because it is that important to them and they want to make the soundest decisions that they can. They are in no way opposed to growing New Albany but they want to make sure they do it in a positive way.

COMMUNICATIONS – CITY OFFICIALS:

John Rosenbarger, informed the council that there are two PUD's before them this evening that he and Mr. Wood are here to answer questions on. He stated that the Charlestown Road is here on a favorable recommendation from the Plan Commission and it is recommended under 24 different conditions. He stated that the council had 90 days to take action on this ordinance if they would like a different decision and he believes that gives them until the end of March. He explained that if they choose to take no action then the recommendation of the Plan Commission effectively becomes an ordinance. He stated that they have a first reading on the Grantline Road Development tonight and it is also here on a favorable recommendation and if they have any questions feel free to ask him or Mr. Wood.

Mr. Price congratulated New Albany High School for being number 1 in the State.

COMMUNICATIONS – MAYOR:

Mr. Gahan introduced newly elected Mayor England.

Mayor England spoke to the council and citizens regarding the tough road that they have ahead of them but stated that he is not afraid to tackle these issues. He introduced everyone on his new staff. He stated that he is here to work with the citizens of New Albany. He asked that everyone work with the council and the administration and give them a chance to make things happen. He asked that everyone be treated with respect. He stated that he is looking forward to working with everyone on this council and he asked that they all work together and help move New Albany forward.

Mr. Gahan asked for a 10 minute recess prior to making the needed appointments.

Mr. Zurschmiede moved for a recess at 8:00 p.m.

Mr. Gahan called the meeting to order 8:10 p.m.

APPOINTMENTS:

Mr. Gahan read the appointments for the year 2008, said list is attached and on file in the City Clerks office. He thanked everyone for their work on the committees last year.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

READING

R-08-01 Transfer of Funds

Gonder

Mr. Gonder moved for the reading of R-08-01, Mr. Coffey second, all voted in favor

Mr. Zurschmiede asked Mrs. Garry to explain what is happening.

Mrs. Garry stated that they will be moving funds from the Board of Works contractual services line item to the salary line item for the second position on ordinance A-08-01.

A-08-01	An Ordinance To Amend Ordinance A-07-43 Setting Salaries for The Year 2008 for Non-Bargaining Unit Employees	Gonder 1
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Mr. Gonder moved for the first reading of A-08-01, Mr. Messer second, all voted in favor

Mrs. Benedetti asked what Mr. Rosenbarger's job description will be.

Mr. Malysz explained that he will be responsible for overseeing and implementing all public works/TIF projects.

Mrs. Benedetti asked if his entire salary would come out of TIF.

Mr. Malysz stated that they have discovered that they could use TIF monies to pay the salary of a supervisory position.

Mr. Coffey asked if any of these salaries were being supplemented from any other funds.

Mrs. Garry stated that if they were they would have to reflect that on the ordinance.

Mr. Coffey asked about the Funds being used from the CDBG funds.

Mr. Malysz explained that one of the biggest issues Mayor England heard during the election was that the citizens were consumed with the need for more code enforcement particularly in the inner-cities. He stated that they could focus this position in the CDBG areas such as S. Ellen Jones neighborhood and Spring Street corridor and it can be funded from Community Development Block Grant Program at no expense to the general fund. He stated that this position would fall into the Community Development Program and he would be in charge of this position.

Mr. Zurschmiede asked about the open position for a building inspector and whether or not that would be filled.

Mr. Malysz stated that there are a number of positions that are going to be filled.

Mr. Zurschmiede stated that he doesn't really see a need for this if they fill the inspector's position because they would have the knowledge to go out and take care of some of the code enforcement issues when there isn't a large amount of construction going on.

There was a lengthy discussion regarding whether or not there is a need for an additional code enforcement officer.

Mr. Messer asked if they had someone in mind for this position and asked about the qualifications for the job.

Mr. Malysz stated that they do not have someone in mind at this time and he will be preparing a job description in order to know what the requirements for the person would be.

Mr. Coffey stated that he believes that this is a pretty good plan but he knows that if you do not have good people in place it will not make a difference. He stated that he has

watched too much money go down a hole because the entire team wasn't in place to carry out both ends of the project.

Mr. Price presented a memo regarding whether or not you could modify the salary ordinance after the first of the year.

Mrs. Garry informed the council that the State Statute has changed and you can modify the salary ordinance for non-bargaining unit employees after the first of the year.

Mr. Price asked that Mr. Ulrich look into this issue.

Z-08-01 Ordinance Amending the Code of Ordinances of New Zurschmiede 1
Albany, Indiana, Title XV, Chapter 156 (Docket P-
19-07: Grantline Development)

Mr. Zurschmiede moved for the first reading of Z-08-01, Mr. Messer second, all voted in favor

Mr. Wood explained that this is a development on Grantline Road that sits behind the Arby's. He stated that it did receive a favorable vote from the Plan Commission. They did receive a letter from Carriage House apartments with their concerns for the development but all of those concerns are met in the requirements from the Plan Commission. Said letter is on file with the City Clerk's office.

Z-07-22 Ordinance Amending the Code of Ordinances of New Zurschmiede2&3
Albany, Indiana, Title XV, Chapter 156 (Docket P-
17-07: Gary McCartin)

Mr. Zurschmiede moved for the second and third reading of Z-07-22, Mrs. Benedetti second, the motion did not pass with nine votes of nay.

Mr. Coffey stated that he talked with Mr. McCartin and he informed him that this development is not feasible without the apartments.

Mr. Zurschmiede stated that he has always been concerned regarding there not being a traffic study done.

Mr. Price stated that on issues such as this he likes to get feed back from the residents that it will affect.

Mr. Caesar stated that he does see that there would be traffic issues with this project.

Mr. Gahan established a committee to look into re-establishing the sewer board. He appointed Mr. Coffey, Mr. Gonder and Mr. McLaughlin and asked Mr. Coffey to chair that committee.

Mr. Coffey stated that he would get a meeting set up as soon as possible.

Miscellaneous Items:

Randy Smith, 2221 E. Elm Street, announced that the FOP will be speaking at his book store on Thursday, January 10 regarding the future of the police department and he invited everyone. He also asked if a member of the public works committee would represent him regarding the width of the 2200 block of E. Elm Street. He stated that the street is very narrow in this area and many people are parking up on the sidewalk. He asked that they look into making one side of the block "No Parking".

Mayor England addressed Mr. Smith's concern with the parking on E. Elm and stated that they will look into his request.

ADJOURN:

There being no further business to be heard, the meeting adjourned at 9:03 p.m.

Jeff Gahan, President
Common Council, City of New Albany

ATTEST: _____
Marcey Wisman, City Clerk